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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/780,486

02/17/2004

Brian D. Robertson

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7590

05/24/2005

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EXAMINER

JEANTY, ROMAIN

ART UNIT

PAPER NUMBER

3623

DATE MAILED: 05/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/780,486

Applicant(s)

ROBERTSON ET AL.

Examiner

Romain Jeanty

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 and 34-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 and 34-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**Detailed Action**

1. This communication is in response to the amendment filed December 30, 2004. By the amendment, claims 1, 2 have been amended. Claims 22-33 have been cancelled, and claims 34-37 have been added. Claims 1-8, 10-21 and 34-37 are pending in the application.

***Response to Arguments***

2. Applicant's arguments with respect to claims 1-8, 10-21 and 34-37 have been considered but are moot in view of the new ground(s) of rejection.

**Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 7-8, 10-11, 16 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art [figs. 1-4, page 1, line 10 to page 3, line 30] in

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view of de Hond (US Patent No. 5,796,395) and further in view of Porter, Jr. et al (US Patent No. 5,263,160).

As per claims 1, 8, and 10-11, and 19-20, 34-37, Applicant's admitted prior art (Figs. 1 & 2) discloses network personal management system, comprising:

- a networked server system that provides a user interface having functionality for users to establish relationship with other users that each user may have one or more contacts (Fig. 2, item 1-30).

- a database that stores relationship data indicating the relationship established between the users via the user interface, wherein the relationship data identifies, for each respective user, which other users are contacts of the respective user (fig. 2, item 148);

Applicant's admitted prior art teaches all of the limitations above. However, applicant's admitted prior art fails to disclose a search module that provides functionality for users to search the database for contacts of their respective contacts, such that a first user may submit a search request to identify other users that are contacts of contacts of the first user

de Hond in the same field of endeavor, discloses a system which allows a user to submit a search query for identifying other contact users of interest of the user search for where users can find and make contact with people of similar interests (affinity groups) the system comprises a plurality of clients and server (col. 3, line 42-col. 4, line 45 and col. 11, lines 13-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use de Hond's teaching to modify the system of Applicant's admitted prior art by permitting the users to search for contacts of their respective contacts. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the

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system of Applicant's admitted prior art in view of de Hond by allowing a user to submit a search query for other contact users of interest of a users. A person having ordinary skill in the art would have been motivated to use such a modification in order to provide consistent and updated information to all persons in contact with the user.

Further Applicant's admitted prior art and de Hond fail to explicitly disclose wherein the search module is responsive to performance of a search by a first user using said relationship data to identify... Porter, Jr. et al in the same field of endeavor teach a method for managing and searching data. In so doing, Porter, Jr. et al disclose wherein a search module is responsive to performance to a search by a first user by using relationship data to identify... (col. 3, lines 29-50 and col. 8, lines 26-50). It would have been to a person of ordinary skill in the art to modify the applicant's teachings and the de Hond system to include the teachings of Porter, Jr. et al with the motivation to access the first data element in a list of contact information.

As per claims 7, and 16, de Hond further discloses a software application that displays to the user the personal information in fields such as real name, nick name, zip code, e-mail address, date of birth, etc., each field is represented by an icon in a pull-down menu (col. 9, lines 24-44) and users query the database to select others based on one or more of these various fields (col. 10, lines 43-45).

5. Claims 2-6, 12-15, 17-18, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art (figs. 1-4, page 1, line 10 to page 3, line 30) in view of de Hond (US. Patent No. 5,796,395), in view of Hertz et al (US Patent No. 5, 835,087).

As per claims 2-6 and 12-15, 17-18, Applicant's admitted prior art teaches wherein the database additionally includes personal data records of the users (col. 2, lines 37-44). However, Applicant's admitted prior art combination with de Hond fails to explicitly disclose the concept of permission level granted by respective user. Hertz et al on other hand discloses summary for each user to be used to efficiently organize the distribution of information in a large scale system consisting of many users interconnected by means of a communication network, to ensure privacy of a user's target profile interest summary, the user is given control over the ability of third parties to access this summary and to identify or contact the user (col. 1, lines 35-43). The user may desire that all or part of the target profile interest summary be kept confidential such as information relating to the user's political, religions behavior, etc. The data in user's target profile interest summary be protected from unwanted disclosure except with the user's agreement (col. 5, lines 40-48). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Hertz's teaching to modify the system of Applicant's admitted prior art, in view of de Hond with the motivation to grant permission to access personal information on an individual basis and solely in accordance with an associated permissions granted by the user for all or part of (fields) his personal information in order to keep the contact information of each member confidential, allow each member to control access of his personal data on case by case consent and achieve privacy protection in an electronic information delivery network, which makes the system more attractive for the users and increase it's utility.

Applicants have amended the claim to recite the server system controls access to the personal data records according to said permission levels. However, Hertz et al disclose the concept of access control and permitting access to user's data. Note col. 48, lines 7-26 of Hertz

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et al. It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to incorporate the this access control applicant's admitted prior art and the de Hond system in order to conceal the validity of the user's information.

### **Conclusion**

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Romain Jeanty whose telephone number is (703) 308-9585. The examiner can normally be reached on Mon-Thurs 7:30 am - 6:00 pm.

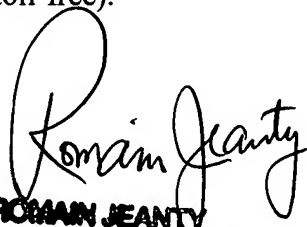
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq R Hafiz can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RJ

April 4, 2005

  
**ROMAIN JEANTY**  
**PRIMARY EXAMINER**  
*Art Unit 3623*